

REMARKS

In response to the Office Action mailed November 24, 2008, Applicant hereby requests reconsideration of the rejections based upon the claim amendments and arguments submitted herewith. Claims 1-7 were last presented for examination, of which all were rejected, with the following issues being raised:

1. Claims 1-7 were rejected under 35 U.S.C. § 101 as being directed toward non-statutory subject matter;
2. Claims 1 and 6 were rejected under 35 U.S.C. § 102(a) as anticipated by U.S. Patent No. 5,984,193 to Uhling;
3. Claims 2-4 and 7 were rejected under 35 U.S.C. § 103(a) as being obvious over Uhling in view of U.S. Patent No. 5,619,027 to Ackley; and
4. Claim 5 was rejected under 35 U.S.C. § 103(a) as being obvious over Uhling in view of Ackley, and further in view of admissions presumed from Applicant's disclosure.

Following the above amendments to the claims, claims 1-7 remain pending in the application, with claim 1 remaining as the sole independent claim.

Rejections under 35 U.S.C. § 101

Applicant has amended claim 1, as indicated above, so that it is now directed toward "[a]n optical machine-readable medium for recording two-dimensional bar code recognizable in bidirection". Further, claim 6 has been likewise amended to recite an "optical machine-readable medium". Thus, each and every claim in the present application is directed toward a computer-readable media, and as recognized in the Office Action, such computer-readable media represent patentable subject matter under 35 U.S.C. § 101.

Rejections under 35 U.S.C. § 102

Claim 1 was rejected as anticipated by Uhling. In order to serve as a basis for an anticipation rejection, a cited reference must disclose each and every claim limitation. As amended, claim 1 recites "an encoding information sequence is disposed sequentially in two dimensions on said nodes of said matrix in one direction and in a reversible order", but Uhling does not disclose this limitation. In particular, Uhling does not disclose disposing the sequence in

two dimensions and in a reversible order as it relates to a two-dimensional bar code. As is shown quite clearly in Fig. 3 of Uhling, the information sequence is encoded twice in the two-dimensional barcode, once in a row, and again in a column. Thus, Uhling discloses nothing more than encoding each information sequence in a single dimension, with each sequence being encoded in both a row and a column to generate a two-dimensional barcode. It does not disclose the information sequence being disposed in both a plurality of rows and a plurality of columns, an example of which is shown in Figs. 2A and 2B of the present application. Uhling therefore does not disclose an encoding information sequence “disposed sequentially in two dimensions”. As such, Uhling does not anticipate amended claim 1.

Claim 6, a method claim, was also rejected as anticipated by Uhling. Claim 6 incorporates all the limitations of amended claim 1, and as such, where Uhling does not anticipate amended claim 1, it also does not anticipate amended claim 6.

Rejections under 35 U.S.C. § 103

Claims 2-5 and 7 were rejected as obvious over Uhling in view of at least Ackley. Each of these claims ultimately depends from claim 1 or claim 6. As indicated above, Uhling does not teach all the limitations of amended claim 1. Further, neither Ackley nor the presumed admissions identified in the Office Action fill in the gaps in the teachings of Uhling. As such, the cited combinations do not render any of claims 2-5 and 7 obvious.

Conclusion

For the foregoing reasons, Applicant requests reconsideration of the rejections.

Applicant believes no fee is due with this response. However, if a fee is due, please charge Deposit Account No. 03-2775, under Order No. 13836-00002-US, from which the undersigned is authorized to draw.

Dated: February 24, 2009

Respectfully submitted,

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